IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 23RD JANUARY 2007 / 3RD MAGHA 1928

WP(C).No. 34513 of 2006(H)

PETITIONERS:

1. **JOBY MATHEW,**
   PROCESS SERVER, WAKF TRIBUNAL,
   ERNAKULAM.

2. **SHINO THANKAPPAN,**
   CHAINMAN, REGIONAL TOWN PLANNING OFFICE,
   KADAVANTHRA.

3. **PRAVEEN. V.N., NIGHT WATCHMAN,**
   DISTRICT AGRICULTURAL FARM,
   NERIAMANGALAM, ERNAKULAM.

BY ADV. SRI.O.D.SIVADAS

RESPONDENTS:

1. **GOVERNMENT OF KERALA REPRESENTED BY**
   THE SECRETARY TO GOVERNMENT, PERSONNEL &
   ADMINISTRATIVE REFORMS (RULES) DEPARTMENT,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. **THE SECRETARY, PUBLIC SERVICE**
   COMMISSION, THIRUVANANTHAPURAM.

3. **THE PUBLIC SERVICE COMMISSION**
   REPRESENTED BY ITS SECRETARY, PATTOM,
   THIRUVANANTHAPURAM.

4. **THE DISTRICT OFFICER, PUBLIC SERVICE**
   COMMISSION, ERNAKULAM.

R1 BY GOVT. PLEADER SHRI.BIJOY CHANDRAN.
R2 TO 4 BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

==========
WP(C).No.34513 OF 2006-H.
==========

Dated this the 23rd day of January, 2007.

J U D G M E N T

The petitioners have applied for the post of Typist Grade II pursuant to the notification issued by the respondent Commission. The qualifications prescribed for the post are, i) Pass in S.S.L.C. or its equivalent, ii) Certificate in Malayalam Typewriting Lower (KGTE), (III) Certificate in English Typewriting Lower (KGTE), and iv) Certificate in Computer Word Processing or its equivalent. The Computer Word Processing is included as a prescribed qualification pursuant to Government order dated 8-12-2004. The note under the qualification says that those who have acquired KGTE qualification in Typewriting shall produce certificate showing their qualification in Computer Word Processing separately.

2. The case of the petitioners is that they are fully qualified for the post of Lower Division Typist Grade II, but the Commission is conducting the selection process in such a way that unqualified persons also are allowed to appear for the written examination.

3. The relief prayed for in this writ petition is for

a direction to the respondents to publish the rank list for the post of L.D.Typist (by transfer) strictly in accordance with Exts.P1 and P2 notifications, without including the candidates who are not having the qualification of Computer Word Processing or its equivalent.

4. Heard both sides. It is clear from the averments in the writ petition that the petitioners have approached this Court by entertaining an apprehension that the respondent Commission will include unqualified persons in the rank list as and when it is published. In my view, it is too early for the petitioners to entertain such apprehensions. The basis for the apprehension is the call letters said to have been sent by the Commission inviting certain candidates for the written test. It is common knowledge that the Commission in the first instance issues call letters to almost all the candidates to appear for written test etc., since a close scrutiny of the applications and the documents produced along with the applications may not be practically possible or feasible at the early stages of the selection process. However, before publishing the rank list all necessary formalities will be completed and unqualified candidates in the opinion of the Commission will be eliminated. Hence it cannot be

assumed, at this stage, that the Commission will not discharge its duty as enjoined by law. The writ petition is premature, and is therefore, dismissed.

K.K.DENESAN, JUDGE.

kvs/-